

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Yuji TSUKAMOTO

Application No.: 09/972,950

Filed: October 10, 2001

For: OPTICAL RECORDING MEDIUM AND
METHOD

ATTN: Box Missing Parts

Atty. Docket No.: 107292-00027

Customer No.: 004372

Confirmation No.: 4804

RESPONSE TO NOTICE TO FILE MISSING PARTSCommissioner for Patents
Washington, D.C. 20231
ATTN - BOX MISSING PARTS

December 6, 2001

Sir:

In the Notice to File Missing Parts of Application dated November 1, 2001, (copy attached), an objection to the Declaration on the basis that the Declaration is unsigned was made. It is respectfully submitted that the Declaration is in fact signed by the inventor and thus the requirement for a new Oath or Declaration should be withdrawn.

Attached is a copy of the Declaration as filed in which the inventor's signature on page 3 of 3 has been highlighted. Although the inventor's signature is in non-English characters, the use of non-English characters is permitted as set forth in MPEP 605.04(a).

Since the originally filed Declaration is proper and does include the applicant's signature, it is submitted that the fee of \$130 is not required.

12/11/2001 ETULU1 00000021 012300 09972950

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In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing our docket number of 107292-00027.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

A handwritten signature in black ink, appearing to read 'Charles M. Marmelstein', with a long horizontal flourish extending to the right.

Charles M. Marmelstein
Attorney for Applicant
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CMM:mmg

Enclosures: Notice to File Missing Parts (copy); Copy of Originally Filed Declaration
and Power of Attorney



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/972,950	10/10/2001	Syuji Tsukamoto	107292-00027

CONFIRMATION NO. 4804

004372

ARENT FOX KINTNER PLOTKIN & KAHN
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WASHINGTON, DC 20036



FORMALITIES LETTER



OC000000007008030

Date Mailed: 11/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE